

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WILLIAM MILLS,	:	
Plaintiff,	:	
vs.	:	Case No. 3:12cv00104
CAROLYN W. COLVIN,	:	District Judge Walter Herbert Rice
Acting Commissioner of the Social	:	Chief Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #11), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on May 28, 2013 (Doc. #11) is ADOPTED in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff William Mills was under a "disability" within the meaning of the Social Security Act;
4. This case is remanded to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations and this Decision and Entry; and,

5. The case is terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", is positioned above a horizontal line.

Walter Herbert Rice
United States District Judge